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EXAMINER

DUONG, OANH L

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/282,692

Applicant(s)

LITA, CHRISTIAN

Examiner

Oanh L. Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/15/02.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 and 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 1-22 are presented for examination.
2. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-10, 12-16, 18, 19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayeh et al. (Bayed) (USPN 6,098,093) in view of Narendran et al (Narendran) (USPN 6,070,191).

Regarding claim 1, Bayeh discloses a method for managing connection requests a pool of servers identified by a given URL (see fig. 3) comprising the steps of in response to a connection request from a given client machine that initiates a session, associating a session identifier with a given server in the pool (see col. 3, lines 40-42); using the session identifier in a redirection response (see col. 3 lines 46-53); and during the session, receiving at the given server any additional connection requests from the given client machine (see cols. 4-5 lines 51-3)

Bayeh does not disclose returning the redirection response to the given client to redirect the connection request to the given server. However, Narendran discloses

Art Unit: 2155

returning the redirection response to the given client to redirect the connection request to the given server (see col. 14 lines 48-56). Therefore, it would have been obvious to have used the returning the redirection response in Bayeh as taught by Narendran because it would enable the client directly connect to the assigned server in the pool of servers using the specified URL without passing through the redirector so as to increase the efficiency of the system.

Regarding claims 9, 15, 21 and 22, Bayeh discloses a method for managing connection requests to a pool of servers, comprising the steps of responsive to a connection request from a client machine to initiate a user session, associating a user session originating from a client machine with a given server in the pool in accordance with a load balancing (see col. 3 lines 5-53 and cols. 4-5 lines 51-3); and means operative during the user session for receiving at the given server any additional connection requests originating from the client machine (see cols. 4-5 lines 51-3). Bayeh does not disclose means for returning a redirection response to the client machine for the connection request. However, Narendran discloses means for returning the redirection response to the client machine for the connection request (see col. 14 lines 48-56). Therefore, it would have been obvious to have used the means for returning the redirection response in Bayeh as taught by Narendran because it would enable the client directly connect to the assigned server in the pool of servers using the specified URL without passing through the redirector so as to increase the efficiency of the system.

Regarding claim 18, Bayeh discloses a server for managing a pool of servers at a web site identified by a given URL, comprising a processor and an operating system (see fig. 1); a load balancing routine (see col. 4 lines 54-57); and a redirector routine for managing HTTP connection requests to the web site comprising means responsive to a connection request from a client machine to initiate a user session for associating a user session originating from a client machine with a given server in the pool in according with the load balancing routine (see col. 3 lines 5-53 and cols. 4-5 lines 51-3); and means operative during the user session for redirecting to the given server any additional connection requests originating from the client machine (see cols. 4-5 lines 51-3).

Bayeh does not disclose means for returning a redirection response to the client machine for the connection request. However, Narendran discloses means for returning the redirection response to the client machine for the connection request (see col. 14 lines 48-56). Therefore, it would have been obvious to have used the means for returning the redirection response in Bayeh as taught by Narendran because it would enable the client directly connect to the assigned server in the pool of servers using the specified URL without passing through the redirector so as to increase the efficiency of the system.

Regarding claim 2, Bayeh discloses the step of using the session identifier includes generating a virtual URL (see col. 3, lines 39-42).

Regarding claim 3, Bayeh discloses the virtual URL comprises a URL in the connection request modified to include the session identifier (see col. 3, lines 39-53).

Regarding claims 4 and 12, Bayeh discloses the session identifier is incorporated in data returned from the given server to the client machine (see col. 3, lines 46-53).

Regarding claims 6 and 14, Bayeh teaches the given client machine includes a browser (see col. 13, lines 7-17).

Regarding claims 7 and 13, the Bayeh discloses wherein each of the servers in the pool supports a similar set-of objects (see col. 4, lines 51-57).

Regarding claim 8, Bayeh teaches the session identifier is associated with a given file server as a function of a load balancing protocol (see cols. 9-10 lines 63-10).

-Regarding claims 10, 16 and 19, Bayeh discloses generating a virtual URL by modifying a given URL to include a session identifier (see col. 3, lines 39-42); using the virtual URL to redirect the connection request to the given server (see col. 3 lines 42-53).

4. Claims 5, 11, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayeh in view of Narendran in further view of Brodd et al. (Brodd) (USPN 5,303,238).

Regarding claims 5, 11, 17, 20, the combination of teachings of Bayeh and Narendran does not teach inactivating the session identifier as claimed. However, Brodd teaches in response to a connection request from the given client machine that terminates the session, inactivating the session identifier (see col. 12 lines 23-26). Therefore, it would have been obvious to have used the inactivating method in the combination of teachings of Bayeh and Narandran as taught by Brodd because it would

make the server available to handle a new session from another client as so to improve the performance of the system.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday through Friday, 8:00AM-4:30PM.

Art Unit: 2155

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz sheikh can be reached on (703) 305-9649. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 747-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

ed

O.D
August 9, 2001



AYAZ SHEIKH
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